

ORDINANCE NO. 20060302-059

**AN ORDINANCE AMENDING CHAPTER 10-3 OF THE CITY CODE
RELATING TO FOOD AND FOOD HANDLERS TO PERMIT DOGS IN
OUTDOOR DINING AREAS OF FOOD SERVICE ESTABLISHMENTS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 10-3-2(B) (*Compliance Required*) of the City Code is amended to read:

- (B) A person operating a food establishment, vending machine, or bed and breakfast limited shall comply with this chapter and, except as provided in Section 10-3-124 (*Dogs Permitted In Outdoor Dining Areas*), with Texas Administrative Code Title 25, Part 1, Chapter 229, Subchapter K (*Texas Food Establishments*).

PART 2. Chapter 10-3 of the City Code is amended to add Section 10-3-124 to read:

§ 10-3-124 DOGS PERMITTED IN OUTDOOR DINING AREAS.

A food service establishment may permit a customer to be accompanied by a dog in an outdoor dining area if:

- (1) the food service establishment posts a sign in a conspicuous location stating that dogs are allowed in the outdoor dining area;
- (2) the customer and the dog access the outdoor dining area directly from the exterior of the food service establishment;
- (3) the dog does not enter the interior of the food service establishment;
- (4) the customer keeps the dog on a leash and controls the dog;
- (5) the customer does not allow the dog on a seat, table, countertop, or similar surface; and
- (6) in the outdoor dining area, the food service establishment does not:
 - (a) prepare food; or
 - (b) permit open food, except for food that is being served to a customer.

PART 3. The city manager is directed to establish a registry of food service establishments that allow dogs in outdoor dining areas.

PART 4. This ordinance takes effect on March 13, 2006.

PASSED AND APPROVED

_____ March 2 _____, 2006

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Will Wynn
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
Shirley A. Gentry
City Clerk